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86 Chambers Street, 3rd floor  
New York, New York 10007

February 14, 2008

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HONORABLE  
U.S. DISTRICT JUDGE  
S.D.N.Y.

BY FAX

Honorable Harold Baer, Jr.  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, New York 10007

Re: Felipa Palacios v. Astrue  
07 Civ. 10958 (HB)

Dear Judge Baer:

We write in response to a memo endorsement issued by the Court in the above-referenced Social Security case. On January 4, 2008, plaintiff's counsel wrote to the Court asking that the February 7, 2008 conference scheduled in the case be adjourned as unnecessary, and that instead, a "briefing schedule be set for either 30 days after receiving the transcript or a reasonable period therefore that the court deems appropriate." The Court memo-endorsed counsel's letter, and adjourned the conference, but inquired why there might be a delay in preparation of the administrative record. On January 8, 2008, we submitted for the Court's consideration a proposed stipulation to extend the Government's time to answer or move with respect to the complaint from February 1, 2008 to April 1, 2008, because we had not yet received the administrative record. The Court memo-endorsed that stipulation, stating that the Court would address the stipulation after receiving an answer to its inquiry regarding delay in preparation of the record.

This office has now received the administrative record for this case. We are advised by the Social Security Administration that the reason for the delay in preparing the record is that there was a delay in locating the claims folder due to a high number of SSA employee absences in the month of December. The record was promptly prepared after the claims folder was located.

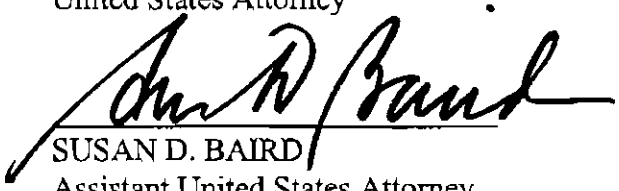
In order to give SSA and this office time to evaluate its litigation position in this case, we respectfully request that the time to answer or move with respect to the complaint be adjourned to April 1, 2008. As we previously indicated to the Court, plaintiff's counsel has consented to the adjournment requested, and no prior adjournment has been requested in this case.

We appreciate the Court's consideration of this request.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

By:

  
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*April 1, by consent*

*Michael Baird*  
*2/22/08*